

PATENT

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

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Robert F. Fere
Robert Fere

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/077,493 Confirmation No.: 5275
Applicant : Zongqin Xia et al.
Filed : February 15, 2002
Art Unit : 1623
Examiner : Elli Peslev
Title : STEROIDAL SAPOGENINS AND THEIR DERIVATIVES FOR
TREATING ALZHEIMER'S DISEASE

Docket No.: : 380048-94 (HASEL-65749) November 5, 2003
Customer No. : 24201

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure and 37 C.F.R. § 1.97(b), enclosed is Form PTO SB008A, listing art which may be material to patentability of the invention, together with copies of references listed therein. This paper should not be construed as a representation that a search was conducted or that the references listed are material to patentability.

Pursuant to Applicant's duty under the recent case of *Dayco Products Inc. v. Total Containment Inc.*, 66 U.S.P.Q.2d 1801, 329 F.3d 1358, Applicants bring to the Examiner's attention the status of the following cases which contain subject matter that could be considered similar:

Attorney Docket No.	Serial Number	STATUS
380048-77	09/362,328 filed 7/28/99	Granted 7/10/01 as U.S. Patent No. 6,258,386
380048-86	09/647,110 filed 1/11/01 - 371 of PCT/GB99/00951 filed 3/26/99	Abandoned - All claims rejected.
380048-87	09/647,128 filed 1/11/01 - 371 of PCT/GB99/00960 filed 3/26/99	Abandoned - All claims rejected.

Void date:
11/12/2003
11/12/2003
01 FC:1806

11/12/2003
01-FC-1806

29059.1

01 FC:1806


180.00 DP

380048 - 92	09/866,234 filed 5/25/01 Div. of 09/362,328 filed 7/28/99 USP 6,258,386	Abandoned – All claims rejected.
380048-95 (FPLU Ref. HASEL-95933)	10/228,153 filed 8/26/02 Cont. of 09/866,234 filed 5/25/01 which is Div. of 09/362,328 filed 7/28/99 USP 6,258,386	Abandoned – all claims rejected.
380048-96 (FPLU Ref. HASEL-65934)	10/336,176 filed 1/3/03 Cont. of 09/647,128 filed 1/11/01 Abandoned	Pending – Awaiting 1 st Office Action.
HASEL-65949	Ser. No. unassigned filed 10/20/03 Cont. of 10/228,153 filed 8/26/02 which is a Cont. of 09/866,234 filed 5/25/01 which is a Div. of 09/362,328 filed 7/28/99 USP 6,258,386	Pending – Awaiting 1 st Office Action.

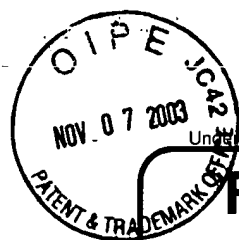
Enclosed is a check in the amount of \$180.00 in payment of the required fee. Please charge any additional fees or credit any overpayment to Deposit Account No. 06-2425.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: 
Joel D. Voelzke
Registration No. 37,957

JDV:rlf
29059.1



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number 10/077,493
Filing Date February 15, 2002
First Named Inventor Zongqin Xia
Examiner Name Elli Peselev
Art Unit 1623
Attorney Docket No. 380048-94

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 06-2425

Deposit Account Name Fulwider Patton

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	=
Independent Claims	-3** =	X	=
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

SUBMITTED BY

Name (Print/Type) Joel Voelzke Registration No. 37,957 Telephone 310 824-5555
Signature [Signature] Date Nov. 4, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

2

Complete if Known

Application Number	10/077,493
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Filing Date	February 15, 2003
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First Named Inventor	Zongqin Xia
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Art Unit	1623
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Examiner Name	Elli Peselev
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Attorney Docket Number	380048-94 (HASEL-65749)
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U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

Complete if Known

Application Number	10/077,493
Filing Date	02/15/2002
First Named Inventor	Zongqin Xia
Group Art Unit	1623
Examiner Name	Elli Peselev
Attorney Docket Number	380048-94 (HASEL-65749)

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		BLUNDEN, G., ET AL., "Steroidal Sapogenins from Leaves of Agaveae Species" (Abstract), Phytochemistry, 1978, Vol. 17(11), pp. 1923-1926, Elsevier Science Ltd., Oxford, United Kingdom.	
		MARTIN, ET AL., Definition of "Alzheimer's disease," The Bantam Medical Dictionary, 2nd Edition, 1981, p. 15, Bantam Books, New York	
		SCHWARTZ, ROCHELLE, ET AL., "Presynaptic Nicotinic Cholinergic Receptors Labeled by [3H] Acetylcholine on Catecholamine and Serotonin Axons in Brain," Journal of Neurochemistry, 1984, pp. 1495-1498, Vol. 42, No. 5, Raven Press, New York.	
		YI, NINGYU, ET AL., "The Mechanism of a Sapogenin From Anemarrhenae Asphodeloides Bge in the Treatment of Senile Dementia"; Proceedings of the 6th International Symp. of the International Isotope Society, Philadelphia, 1997, page 103.	
		YI, NINGYU, ET AL., "Sarsasapogenin: Mechanism in Treating Senile Dementia," (Paper 62) Proceedings of the 6th International Symp. of the International Isotope Society, Philadelphia, 1997.	
		SRAMEK, JOHN J., ET AL., "A Bridging Study of LU-25-109 in Patients with Probable Alzheimer's Disease," Life Sciences, 1998, pp. 195-202, Vol. 62, No. 3, Elsevier Science, Inc.	
		MA, BEIPING, ET AL., "The Use of Steroidal Saponin Compounds to Prevent Senility, and Novel Steroid Saponin Compounds," 1999.	
		YI, NINGYU ET AL., "Extraction of .beta.-adnergic receptor- and M cholinergic receptor-regulating (.beta.,5.beta.,25s)-spirostan-3-o1 from Anemarrhena Asphodeloides Bunge," 1999.	

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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